

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-v-

No. 06 Civ. 6483 (LTS)(RLE)

FREDERICK J. O'MEALLY, et al.,

Defendant.

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FINAL JUDGMENT OF DISGORGEMENT, POST-JUDGMENT INTEREST AND A CIVIL PENALTY

Plaintiff Securities and Exchange Commission (the "SEC") having filed a Complaint in this action on August 28, 2006, the Court having conducted a jury trial beginning on November 15, 2011, the jury having rendered a verdict on December 14, 2011, finding defendant Frederick J. O'Meally (the "Defendant") liable for negligently violating Sections 17(a)(2) and 17(a)(3) of the Securities Act of 1933 (the "Securities Act"), and the Court having considered carefully the SEC's motion for entry of a final judgment against Defendant and all of the evidence and pleadings submitted with respect to that motion, for the reasons stated in the Memorandum Opinion issued with this judgment:

IT IS HEREBY ORDERED ADJUDGED AND DECREED, that Defendant disgorge \$444,836 representing profits gained as a result of the misconduct that is the subject of the jury verdict, together with prejudgment interest thereon in the amount of \$258,401.55, for a total disgorgement obligation of \$703,237.55.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that Defendant pay a civil penalty in the amount of \$60,000 pursuant to Section 20(d)(2) of the Securities

Exchange Act, 15 U.S.C. § 77t(d)(2).

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that Defendant shall satisfy his disgorgement and civil penalty obligations by making full payment, in the total amount of \$763,237.55, to the Securities and Exchange Commission within 14 days after entry of this final judgment. Defendant may transmit the payment electronically to the SEC, which will provide detailed ACH transfer/Fedwire instructions upon request. Defendant may make payment directly from a bank account via Pay.gov through the SEC's website at <http://www.sec.gov/about/offices/ofm.htm>. He may also pay by certified check, bank cashier's check, or United States postal money order payable to the Securities and Exchange Commission, which shall be delivered or mailed to:

Enterprise Services Center
Accounts Receivable Branch
6500 MacArthur Boulevard
Oklahoma City, OK 73169

and shall be accompanied by a letter which identifies the case title, civil action number, the name of this Court and Mr. O'Meally's name as a defendant in this action, and which specifies that the payment is made pursuant to this Final Judgment.

Defendant shall simultaneously transmit photocopies of evidence of payment and case identifying information to the SEC's counsel in this action. By making this payment, Defendant relinquishes all legal and equitable right, title, and interest in such funds and no part of the funds shall be returned to him. The SEC shall send the funds paid pursuant to this Final Judgment to the United States Treasury.

The SEC may enforce the Court's judgment for disgorgement and prejudgment

interest by moving for civil contempt (and/or through other collection procedures authorized by law) at any time after 14 days following entry of this final judgment. Defendant shall pay post-judgment interest on any delinquent amounts pursuant to 28 U.S.C. § 1961.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that this Court shall retain jurisdiction of this matter for the purposes of enforcing the terms of this final judgment.

SO ORDERED.

Dated: New York, New York
March 11, 2013

/S

LAURA TAYLOR SWAIN
United States District Judge